

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

XING FENG HUANG ,

Petitioner,

CASE NO. 2:20-cv-01687-RSM-BAT

V.

WILLIAM BARR, et al.,

Respondent.

AMENDED ORDER FOR RETURN AND STATUS REPORT

Petitioner has filed a habeas corpus petition under 28 U.S.C. § 2241. Having reviewed the petition, the Court **ORDERS**:

(1) If not previously accomplished, electronic posting of this Order and petitioner's § 2241 habeas petition shall constitute service upon the United States Attorney of the petition and all supporting documents. Service upon the United States Attorney is deemed to be service upon William Barr, Chad Wolf, Warden of the Immigration Detention Facility, United States Department of Immigration and Customs Enforcement.

(2) On or before **December 29, 2020**, respondent(s) shall file a return and status report (“RSR”) as provided in 28 U.S.C. § 2243, explaining why the Court should not grant petitioner’s petition. As a part of such return, respondent(s) shall submit a memorandum of authorities in support of their position and state whether an evidentiary hearing is necessary.

1 Additionally, given petitioner's allegation that his detention is unlawful because U.S.
2 Immigration and Customs Enforcement is unable to effectuate his removal in the reasonably
3 foreseeable future, respondent(s) shall submit evidence directed at the issue of petitioner's
4 "entry" into the United States and the likelihood of removal.

5 (3) In accordance with LCR 7(d), respondent(s) shall note their return for
6 consideration on **January 22, 2021**. Petitioner may file and serve a response on or before
7 **January 19, 2021 (due to the Federal holiday on January 18, 2021)**, and respondents may file
8 and serve a reply on or before the noting date.

9 (4) If petitioner's custody status changes at any point during this litigation,
10 **respondents shall file a report with the Court immediately and no later than 14 days after**
11 **the change.**

12 (5) The Clerk shall send a copy of this Order to petitioner, the Federal Public
13 Defender, and the assigned District Judge.

14 DATED this 20th day of November 2020

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17 BRIAN A. TSUCHIDA
18 Chief United States Magistrate Judge
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